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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/310,091 | 05/12/1999 | YONG-SEOK PARK | K-089 | 8341 |
| 34610 | 7590 | 07/01/2005 | EXAMINER | |
| FLESHNER & KIM, LLP P.O. BOX 221200 CHANTILLY, VA 20153 | | | SHANG, ANNAN Q | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2617 | |

DATE MAILED: 07/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/310,091

Applicant(s)

PARK, YONG-SEOK

Examiner

Annan Q. Shang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Allowable Subject Matter

1. The indicated allowability of claims 7-8, 15-16 and 22-23, are withdrawn in view of the newly discovered reference(s) to **Chaney (5,473,609)**, to overcome the allowable subject matter. Rejections based on the newly cited reference(s) follow. Examiner regrets any inconvenience caused to the Applicant.

Claim Objections

2. Claims 4, 5, 12-13 and 20 are objected to because of the following informalities: In claim 4, lines 2, claim 5, lines 2, 3 and 5, claim 12, line 2, claim 13, lines 3 and 5 and claim 20, lines 2, 3 and 5, it appears the phrase "repeater" should read "channel." Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-23, are rejected under 35 U.S.C. 102(b) as being anticipated by **Chaney (5,473,609)** newly cited.

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As to claims 1-3, 9-11, 14-15, 18-19 and 21-22, note the **Chaney** reference figures 1-5, discloses a method and apparatus for processing a conditional access program guide as for a satellite TV service and further discloses a method for changing channel information in a digital TV receiver and a computer program...the method comprising:

the claimed "determining changed channel information from a broadcasting signal received at preset time intervals and storing the changed channel..." is met by Controller 13 of AVD Receiver (col. 7, line 40-col. 8, line 36), which receives at a preset time intervals (col. 5, lines 9-15 and lines 31-64) data packets (fig. 3) of Master Program Guide (MPG) and Special Program Guide (SPG) (fig. 1-2 and col. 3, lines 41-col. 4, line 44) via direct broadcast satellite system (DBS), demultiplexes transport stream to extract the transport stream tables and determines changed channel information from the broadcast signal received by scanning the channels to determine the packets of entitlement data a particular subscriber is entitled to accept and also to determine the status byte of the guides and stores the change channel according (col. 8, lines 21-46) where the determining the changed information includes:

determining (Controller 13) whether a PMT/PAT parsing is an initial program map table (PMT) parsing (col. 6, line 66-col. 7, line 19), storing PMT/PAT information in a first database (Memory 11) when the PMT parsing is the initial PMT parsing and storing changed PMT/PAT information in a second database (Smart Card, col. 8, lines 25-46) when the PMT/PAT parsing is not the initial PMT/PAT parsing; and

comparing (Controller 13) the stored changed channel information and channel information stored already, for updating the channel information, where the comparing includes comparing a initial purchased channel list "first list" and the added or deleted channels "second list" or "version change" to determine added channels or canceled channels, and updating the channel information (col. 6, line 66-col. 7, line 19, line 53-col. 8, line 45), note that Chaney APGD, etc, corresponds to PMT/PAT, etc., (col. 5, lines 31-64 and col. 6, line 18-65).

As to claims 4-5, Chaney further discloses where Controller 13, determines whether a repeater or channel has been switched if it is determined by the status bytes that the channel information is changed and stores the changed channel information when it is determined from the status bytes that the channel is not and maintaining existing channel when it is determined that the channel is switched (col. 6, line 66-col. 7, line 19 and line 40-col. 8, line 45).

As to claim 8, Chaney further discloses where the determining further comprises providing a program guide message information processing command after storing the PMT information in database 11 (col. 11, lines 41-62)

Claims 12-13 are met as previously discussed with respect to claim 4-5.

Claim 16 is met as previously discussed with respect to claim 8.

Claim 20 is met as previously discussed with respect to claim 4-5.

Claim 23 is met as previously discussed with respect to claim 8.

Response to Arguments

5. Applicant's arguments with respect to claims 1-23 have been considered but are moot in view of the new ground(s) of rejection, using newly cited reference **Chaney (5,473,609)**. Examiner is still objecting to the phrase "repeater" used in claims 4, 5, 12-13 and 20, despite it's functional meaning disclose in page 6, lines 5-17 of the specification since the "repeater" used in the various claimed limitations does not clearly convey to one of ordinary skill in the art a channel changing process or switching from one channel to the other. This office action is non-Final.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lemmons et al (5,880,768) interactive program guide systems and processes.

Chaney (5,841,433) digital television system channel guide, having a limited lifetime.

Bruette et al (5,828,419) disclose method apparatus for generating television program guides utilizing icons.

Rzeszewski et al (5,699,125) electronic television program guide for a television system having two tuners

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Annan Q. Shang** whose telephone number is **571-272-7355**. The examiner can normally be reached on **700am-400pm**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Christopher S. Kelley** can be reached on **571-272-7331**. The fax phone number for the organization where this application or proceeding is assigned is **703-872-9306**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the **Electronic Business Center (EBC)** at **866-217-9197 (toll-free)**.



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